REMARKS

Claims 1-3, 6-13, 19-47, 50-58, 79 and 80 are pending in this application. Claims 1, 6, 19, 21, 27, 35, 37, 39, 42, 50, 52-55, 79, and 80 are amended. Claims 4-5, 14-18 and 48-49 are cancelled without prejudice. It is submitted that the application, as amended, is in condition for allowance. Reconsideration is respectfully requested.

The applicant now provides a new information disclosure statement to comply with 37 CFR 1.98(a)(2).

Claims 52-54 are rejected under 35 U.S.C. 112. Claims 1-3, 13, 21-26, 35-47, 79, and 80 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal et al. (US 6,519,239) in view of Jang et al. (US 2005/0025082). Claims 4-11, 14-18, 27-32, 48, 49, and 52-54 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and further in view of Padovani et al. (US 5,535,239). Claim 12 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and further in view of Huang et al. (US 5,721,957). Claims 19, 20, 33, and 34 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and Padovani and further in view of Huang. Claims 55-58 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and Padovani and further in view of Hebb (US 5,757,796). Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

Rejection under 35 U.S.C. § 112

Claims 52-54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is respectfully noted that claim 42, as amended, recites "a specific header" and claims 52-54, as amended, recite "the specific header" having antecedent basis in claim 42.

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It is respectfully asserted that the grounds for the rejections of claims 52-54 have been overcome by the amendment to claim 42.

Rejection under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang

Claims 1-3, 13, 21-26, 35-47, 79, and 80 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang.

As amended, claim 1 incorporates elements of claim 14. Specifically, claim 1 recites receiving a flow identifier indicative of the broadcast/multicast service and allocating the flow identifier to a predetermined length of lower bits of the public long code mask where the specific header is not allocated.

With respect to cancelled claim 14, page 19 of the Office Action states that Jang (paragraphs 72-73) discloses 'the flow identifier occupies a predetermined length of unallocated bits of the generated public long code mask' and that the 'flow identifier of public long code mask would inherently require a predetermined length of unallocated bits.' However, it is respectfully noted that paragraph 71 of Jang does not disclose 'the flow ID' identifying the program is allocated to a part of a public long code mask. In fact, paragraph 71 of Jang mentions 'the flow ID' when transmitting a BCMCS monitor requests message, such as an origination message, to identify the program. Furthermore, Jang discloses that generally a 'flow ID' is transmitted via a specific field of an origination message, as opposed to being a field of a public long code mask as recited in claim 1.

Therefore, Applicant submits that it would not have been obvious to those skilled in the art at the time the invention was made to allocate the flow identifier to a predetermined length of lower bits of the public long code mask where the specific header is not allocated from the flow ID. Further, Applicant submits that Panchal fails to cure the deficiency of Jang with respect to 'allocating the flow identifier to a predetermined length of lower bits of the public long code mask where the specific header is not allocated.' Additionally, the 'dispatch identifier' of Panchal is not indicative of the broadcast/multicast service.

As amended, claim 1 incorporates elements of cancelled claim 5. Specifically, claim 1 recites allocating a predetermined length of upper bits of the public long code mask as a specific header having a value that does not coincide with previous public long code masks and does not coincide with previous long code masks.

With respect to claim 5, page 16 of the Office Action states that Panchal and Jang (col. 3, line 25-40) combined with Padovani (Figure 8B) discloses 'the specific header has a value that does not coincide with previous public long code masks and does not coincide with previous long code masks.' Additionally, the Office Action states that 'Panchal shows group identification that does not coincide with previous code masks, while Padovani shows the use of a header within a public long code mask.' However, it is respectfully noted that the group identification, which may correspond to either 'the group specific dispatch identifier' or 'the dispatch call request including that identifier,' of Panchal identifies the target dispatch group. The target dispatch group of Panchal corresponds to a group of users within the dispatch group. Additionally, considering the structure of 'the dispatch identifier,' as shown in FIG. 2, 'the group identification' of Panchal fails to teach or suggest the concept of a value that does not coincide with previous public long code masks and does not coincide with previous long code masks.

Thus although Padovani arguably discloses a 'header within a public long code mask,' Panchal combined with Padovani does not teach or suggest allocating 'a specific header having a value that does not coincide with previous public long code masks and does not coincide with previous long code masks' to upper bits of the public long code mask. Furthermore 'the specific header' of claim 1 has a value which does not coincide with previous public long code masks, and also does not coincide with previous long code masks. Therefore, Padovani does not cure the deficiencies of Panchal with respect to allocating 'a specific header having a value that does not coincide with previous public long code masks and does not coincide with previous long code masks' to upper bits of the public long code mask, as recited in claim 1.

Applicant has demonstrated that Panchal and Jang, in addition to Panchal and Padovani fail to teach or suggest various elements recited in claim 1. Therefore, claim 1 should be allowable over the cited references. Additionally, independent claims 21, 39, 42, 79, and 80

recite elements similar to independent claim 1. Specifically, independent claims 21, 39, and 42 recite 'allocating a predetermined length of upper bits of the public long code mask as a specific header having a value that does not coincide with previous public long code masks and does not coincide with previous long code masks,' and 'allocating the flow identifier to a predetermined length of lower bits of the public long code mask where the specific header is not allocated.' Additionally, independent claim 79 recites 'wherein the second module allocates a predetermined length of upper bits of the public long code mask as a specific header having a value that does not coincide with previous public long code masks and does not coincide with previous long code masks, and allocates the flow identifier to a predetermined length of lower bits of the public long code mask where the specific header is not allocated.' Finally, independent claim 80 recites "wherein the second module allocates a predetermined length of the public long code mask as a specific header having a value that does not coincide with previous public long code masks and does not coincide with previous long code masks, and allocates the flow identifier to a predetermined length of lower bits of the public long code mask where the specific header does is allocated." Therefore, independent claims 21, 39, 42, 79, and 80 should be allowable for the same reasons presented with respect to independent claim 1.

Finally, claims 2-3, 13, 22-26, 35-38, 40-41, and 43-47 should be allowable at least by virtue of their respective dependence on allowable independent claims 1, 21, 39, and 42.

Rejection under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and further in view of Padovani

Claims 4-11, 14-18, 27-32, 48, 49, and 52-54 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and further in view of Padovani. Claims 4-5, 14-18, and 48-49 have been cancelled without prejudice, thus rendering the rejections of claims 4-5, 14-18, and 48-49 moot.

Applicant has demonstrated above that Panchal does not teach or suggest all of the elements recited in independent claims 1, 21, and 42. Additionally, Applicant has demonstrated above that Jang and Padovani fail to cure the deficiencies of Panchal with respect to 'allocating a

specific header having a value that does not coincide with previous public long code masks and does not coincide with previous long code masks to upper bits of the public long code mask.' Therefore, independent claims 1, 21, and 42 would still be allowable over the cited combination of references. Additionally, claims 6-11, 27-32, and 52-54 should be allowable at least by virtue of their respective dependence on allowable independent claims 1, 21, and 42.

Rejection under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and further in view of Huang

Claim 12 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and further in view of Huang.

Applicant has demonstrated above that Panchal in view of Jang fails to teach or suggest various elements recited in independent claim 1. Applicant submits that Huang fails to cure the deficiencies of Panchal and Jang with respect to 'allocating a predetermined length of upper bits of the public long code mask as a specific header having a value that does not coincide with previous public long code masks and does not coincide with previous long code masks,' and 'allocating the flow identifier to a predetermined length of lower bits of the public long code mask where the specific header is not allocated.' Therefore, independent claim 1 should still be allowable over the cited combination of references. Additionally, claim 12 should be allowable at least by virtue of its respective dependence on independent claim 1.

Rejection under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and Padovani and further in view of Huang

Claims 19, 20, 33, and 34 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and Padovani and further in view of Huang.

Applicant has demonstrated above that Panchal in view of Jang and Padovani fails to teach or suggest various elements recited in independent claims 1 and 21. Applicant submits that Huang fails to cure the deficiencies of Panchal, Jang, and Padovani with respect to 'allocating a

predetermined length of upper bits of the public long code mask as a specific header having a value that does not coincide with previous public long code masks and does not coincide with previous long code masks,' and 'allocating the flow identifier to a predetermined length of lower bits of the public long code mask where the specific header is not allocated.' Therefore, independent claims 1 and 21 should still be allowable over the cited combination of references. Additionally, claims 19, 20, 33 and 34 should be allowable at least by virtue of its respective dependence on independent claims 1 and 21.

Rejection under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and Padovani and further in view of Hebb

Claims 55-58 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Panchal in view of Jang and Padovani and further in view of Hebb.

Applicant has demonstrated above that Panchal in view of Jang and Padovani fails to teach or suggest various elements recited in independent claim 42. Applicant submits that Hebb fails to cure the deficiencies of Panchal, Jang, and Padovani with respect to 'allocating a predetermined length of upper bits of the public long code mask as a specific header having a value that does not coincide with previous public long code masks and does not coincide with previous long code masks,' and 'allocating the flow identifier to a predetermined length of lower bits of the public long code mask where the specific header is not allocated.' Therefore, independent claim 42 should still be allowable over the cited combination of references. Additionally, claims 55-58 should be allowable at least by virtue of its respective dependence on independent claim 42.

CONCLUSION

In light of the above remarks, Applicant submits that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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